

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED
8/28/18 2:18 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN RE:

DAVID P. BALASKI

Debtor(s)

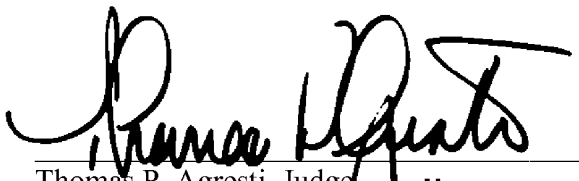
: Case No. 16-10962-TPA
:
: Chapter 13
: Related to Doc No. 33, 37

ORDER

AND NOW, this **28th** day of **August, 2018**, the Court having issued an Order on June 27, 2018 requiring the ***Notice of Postpetition Mortgage Fees, Expenses, and Charges*** (“Notice”) that was filed regarding Claim No. 2 be supplemented on or before **August 27, 2018** by providing additional information to support the alleged fees, expenses or charges set forth therein, and the deadline having now passed with nothing further having been filed to supplement the *Notice*, therefore pursuant to said Order,

It is hereby **ORDERED, ADJUDGED** and **DECREED** that:

- (1) The *Notice* is **DISMISSED with prejudice**.
- (2) **On or before September 27, 2018, M&T Bank**, the party on whose behalf the *Notice* was filed, shall take any and all steps necessary to ensure that any reference to the fees, expenses and charges set forth in the *Notice* are removed from the loan history and accounts.
- (3) **M&T** and its successors and assigns are hereinafter prohibited from making any attempt to collect the removed fees, expenses and charges from the Debtor(s).
- (4) The Objection at Doc No. 33 is denied as moot.


Thomas P. Agresti, Judge **ljm**
United States Bankruptcy Court

Case Administrator to serve:

Debtor(s)
Debtor(s)' Counsel
James Warmbrodt, Esq.
Trustee

Certificate of Notice Page 2 of 2
United States Bankruptcy Court
Western District of Pennsylvania

In re:
David P Balaski
Debtor

Case No. 16-10962-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: dkam
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 28, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 30, 2018.

db +David P Balaski, 3669 Atlantic Lake Rd, Atlantic, PA 16111-1223

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 30, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 28, 2018 at the address(es) listed below:

Christopher M. McMonagle on behalf of Creditor M&T Bank cmcmonagle@sterneisenberg.com,
bkecf@sterneisenberg.com
James Warmbrodt on behalf of Creditor M&T Bank bkgroup@kmlawgroup.com
John E. Nagurney on behalf of Debtor David P Balaski courtnagurney@zoominternet.net
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5